



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

In re Patent Application of

KAMBARA et al.

Application Number: 09/805,240

Filed: March 14, 2001

For: DNA BASE SEQUENCING SYSTEM

Art Unit 1623

Examiner LEWIS, P.T.

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

COVER LETTER

Sir:

[] The fee for submission of additional claims is calculated as shown below:

FOR	TOTAL WITH NEW CLAIMS ADDED	TOTAL CURRENTLY ON FILE	CLAIMS PAID	RATE	CALCULATION
Total Claims	17	26	6 (Over 20)	x \$18	0
Independent Claims	2	5	2 (Over 3)	x \$84	0
MULTIPLE DEPENDENT CLAIM(S)				+ \$280	0
REDUCTION FOR FILING BY SMALL ENTITY (note 37 C.F.R. §§ 1.9, 1.27, 1.28).				x 1/2	0
				TOTAL	0

In addition, the below-identified communications are submitted in the above-captioned application or proceeding:

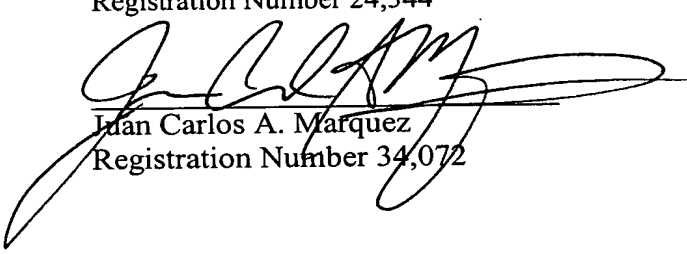
- ☒ Response to Office Action
(Restriction)
- ☐ Information Disclosure Statement
- ☐ Preliminary Amendment
- ☐ Substitute Specification
- ☐ Other _____

- ☐ Petition for Extension of Time
- ☐ Terminal Disclaimer
- ☐ Letter to Draftsperson
- ☐ Assignment
- ☐ Petition under _____
- ☐ Small entity status

- [] Please charge my **Deposit Account Number** _____ in the amount of _____ to cover the fees for _
_____. A duplicate copy of this paper is enclosed.
- [] A check in the amount of \$.00 to cover the fee is enclosed.
- [x] The Commissioner is hereby authorized to charge any additional fees associated with this communication, including patent application filing fees and processing fees under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to **Deposit Account Number 08-1480**.

Respectfully submitted,

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October 9, 2002



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KAMBARA et al.

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Attorney Docket No. HIRA.0011

Art Unit 1623

Examiner LEWIS, P. T.

10-18-02
D. Howell

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Office Action mailed on September 24, 2002, the period of response to which is set to expire on October 24, 2002.

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated September 24, 2002. In view of the following remarks, the Examiner is respectfully requested to proceed with examination of the application on the merits, to indicate the allowability of the claims, and to pass this case to issue.

Restriction Requirement

In response to the Examiner's restriction requirement set forth in the above-mentioned Office Action, Applicants hereby elect the continued prosecution of the invention identified as Invention II, set forth in claims 3-10 and 15-23, drawn to a DNA analyzing system, without traverse. Applicants understand that the non-elected inventions I and III, drawn to a DNA base sequencing method using luciferase, and drawn to a DNA base sequencing system, respectively, and their corresponding claims 1-2, 11-14, and 24-26 are hereby withdrawn from further consideration in this pending application. Applicants hereby reserve the right to file divisional applications on such non-elected inventions.